

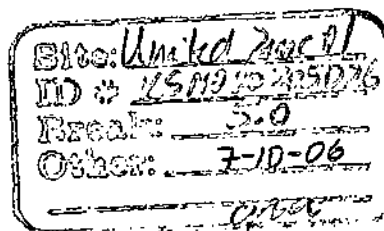


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

JUL 10 2006

Leo Henning
Kansas Department of Health and Environment
Bureau of Environmental Remediation
1000 SW Jackson, Suite 410
Topeka, Kansas 66612-1367



Dear Mr. Henning:

On September 29, 2005, the Kansas Department of Health and Environment (KDHE) referred the United Zinc Site #1, Iola, Allen County, Kansas, to the Superfund removal program of the Environmental Protection Agency (EPA) for completion of a removal action. To perform this action, EPA will attempt to comply, to the extent practicable, with all applicable or relevant and appropriate state requirements (ARARs). This letter formally requests that the State of Kansas identify any potential ARARs for this site.

We request that an appropriate state official identify potential ARARs in the tables provided, or an equivalent-type format. To qualify as state ARARs, these requirements must be promulgated. A state requirement is promulgated if it is legally enforceable and of general applicability.

The tables are divided into three sections addressing the following categories: chemical-specific requirements, location-specific requirements, and action-specific requirements. Chemical-specific requirements are health- or risk-based numeric values that establish the acceptable amount or concentration of a chemical that may be found in, or discharged to, the ambient environment. Location-specific requirements are restrictions placed on the concentration of hazardous substances or the conduct of activities solely because they occur in special locations. For example, a location-specific requirement demands that hazardous waste storage facilities, if located within 100-year flood plains, must be designed, constructed, operated, and maintained in a manner which avoids washout. Action-specific requirements are technology- or activity-based requirements or limitations on actions taken with respect to hazardous waste.

Your timely response will ensure that Kansas requirements will be considered when conducting the removal action. If it is not possible to detail these regulations in writing by August 10, 2006, please contact Eddie McGlasson, the On-Scene Coordinator (OSC), at (913) 551-7756, or me at (913) 551-7670, with this information before confirming the information in writing. All information concerning state ARARs must be received in writing within thirty days of receipt of this letter. Also, please feel free to contact Mr. McGlasson or me

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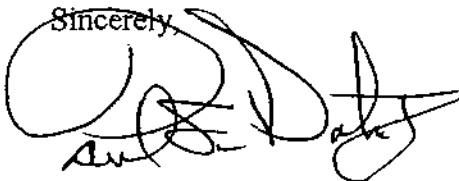
SUPERFUND RECORDS



if additional information on the site is needed for the purpose of completing the enclosures, or if you wish to comment on the action.

Any state policies or guidance will be considered, even if they are not ARARs. The OSC will examine your responses to determine whether they are applicable, or relevant and appropriate to the site to the extent practicable. It is important to clarify, however, that all potential state ARARs identified in the tables may not be met during the removal.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott D. Hayes", written over a large, loopy "O" that starts the signature.

Scott D. Hayes, Chief
Emergency Response and Removal Branch
Superfund Division

Enclosure

cc: Rick Bean, KDHE
Fred Molloy, KDHE

United Zinc Site
Potential State ARARs

TABLE 1: CHEMICAL-SPECIFIC REQUIREMENTS

Chemical	Maximum Concentration Allowed	Medium	Reason Why Requirement is an ARAR	Regulatory Citation

United Zinc Site
Potential State ARARs

TABLE 2: LOCATION-SPECIFIC REQUIREMENTS

Location Subject to Requirement	Requirement	Reason Why Requirement is an ARAR	Regulatory Citation

United Zinc Site
Potential State ARARs

TABLE 3: ACTION-SPECIFIC REQUIREMENTS

Action Subject to Requirement	Requirement	Reason Why Requirement is an ARAR	Regulatory Citation